

## THE

## REHEARSAL.

1. The Dispute is only how to know an *Act of Parliament*.
2. The *Observator* yields all the *Judges* and *Lawyers* in *England* to be on my Side.
3. His *Dernier Resort* of *Parliament* makes against him most of all.
4. He grants that *Coercion* over the *King* or the *Crown* is *Treason*, and *Nonsense*.
5. But he says a *Tyrant* is no *King*.
6. Then no *King* can be a *Tyrant*.
7. What he means by *Coercion* over the *Crown*. He Separates the *Authority* of the *King* from his *Person*. Which is *Traiterous*.
8. He is against the *King de Facto*, unless he be *de jure* too.
9. He thinks the late *King James* Ceas'd to be *de jure* for the *Toleration* he Granted to the *Dissenters*. The *Style* of *King* was given to *K. Cha. I.* at his *Tryal*, and on the *Scaffold*. What *Lambard* meant by *Losing the Name of King*.
10. By the *Observator's Rule* we cannot know who is *King*, or who is *Tyrant*.
11. His Argument Strikes at all *Kings*, *Good*, *Bad*, or *Indifferent*.
12. By his Assertion ther is not a *King* or *Queen* now in the *World*, or Ever were.

WEDNESDAY, October 6. 1708.

1. *Country-man.* **Y**OU have set the *Observator* Right, in the Close of your Last, *Majster*, as to the *State* of the *Cafe* betwixt you; which is no more than if I shou'd Quote a False *Act of Parliament* in *Westminster-Hall*, and then shou'd Deny that all the *Judges* and *Lawyers* there cou'd tell better than I whether it was an *Act of Parliament* or not? For which I suppose there is no more than going to the *Statute Book* for it. And if I cannot shew it there, or in the *Original Records*, then it is no *Act of Parliament*. For all our *Acts of Parliament* are there. And if the *Observator* cannot shew his *Saxon Laws* there, they are no *Laws of Ours*. And yet *Westminster-Hall* must be no *Judge* of this, but only the *Parliament*!

(2.) *Rehears.* However, he by this has given me all the *Judges* and all the *Lawyers* in *England* on my side. And if we all cannot hold it out against the *Observator*, he is a Man of *Mettle* indeed!

(3.) But now that I may Demolish him Intirely, and not leave him a Rag to cover his *Nakednes*, I will go with him to his *Dernier Resort* the *Parliament*. And he will find as few Friends there as in *Westminster-Hall*. All make against him. Nay, none so bad as this! For I have produc'd *Acts of Parliament* not only Condemning all *Coercion*, as if then *Enacted* by *Authority* of

that present *Parliament*, but *Declaring* of *Former times*, that by the *Undoubted* and *Fundamental Laws* of this *Kingdom*, neither *Parliament* nor *People* ever *Had*, or *Have*, or *Ought to have* any *Coercive Power* over the *Kings* of this *Realm*. And can we Suppose that none of either *House of Lords* or *Commons* had ever heard of *Lambard* and his *Saxon Laws*? Yet we see what *Regard* was paid to them! That notwithstanding of all that the *Observator* has *Pleaded* out of them, yet that *Coercion* Ever was against the *Fundamental Laws* of this *Realm*, and that this was *Undoubted*.

*Country-m.* Alas, poor *Observator*! Whither will he go Now? His *Dernier Resort*, as well as *Westminster-Hall*, has *Forfaken* him, and cut him down more than all the Rest of his *Evidence*.

(4.) But, *Majster*, he seems to give up the *Cause*, and come to your Hand intirely, for in the same *Observator* you were last upon of the first of *September* last, N. 57. he says thus to his *Roger*,

" *He* (the *Rehearser*) *talks* of a *Coercive Power* over *Kings*, and over the *Crown*, which " *I have told him, as Plain as I cou'd, is Nonsense* as well as *Treason*, and *Defended* by " *No body that I know of*.

Now what wou'd you have more? He makes it *Nonsense*, as well as *Treason*. He Clears both the *King* and the *Crown* from all *Coercion*.

(5.) *Rehears.* You Mistake him, *Country-man*. He explains himself afterwards, as he did in several of his *Observators* before, That if a King breaks the *Laws*, he *ipso facto* Ceases to be a King, and from that Moment Commences a *Tyrant*! And he is only for Depositing *Tyrants*, but not *Kings*.

(6.) *Country-m.* But is not a *Tyrant* a *King*? Don't we say a *Tyrannical King*? Which cou'd not be, if a *Tyrant* were not a *King*.

(7.) But he frees the *Crown* too from *Coercion*. By which I don't Suppose he Means to *Coerce* some of the *Jewels* out of it, as *Blood* did. But to *Coerce* its just *Power* and *Prerogative*, that is, the *Authority* of Him who has *Right* to *Wear* it. For otherwise it has no *Right* more than so much other *Gold*, Unless it be kept in a fine *Case*. Now when the *King* do's any *Illegal Act*, and so Ceases to be *King*, what becomes of the *Crown*? It is in the *Clouds*, for it is upon no *Body's Head*, because no *body* is *King*! What do's the *Observator* then mean by *Coercing* the *Crown*?

*Rehears.* This is to Distinguish the *Authority* of the *King* from his *Person*. And if the *Observator* will take the Word of an *Act of Parliament*, this is a *Traiterous Position*, by the *Act of Uniformity*.

(8.) *Country-m.* But what do's he mean by saying that such a *King* loses the *Name of King*? I suppose he means *de Jure*, and not *de Facto*. For in *Fact* he still keeps the *Name of King* (let him be as *Tyrannical* as he will) still he is put out of *Possession*. We have no other *Name* to call him by.

(9.) I suppose the *Observator* thinks that the late *King James* did Cease to be *King* ever after he had Granted a *Toleration* to the *Dissenters* contrary to *Law* (yet they Thank'd him *Hearily*, but they now say *Hypocritically*, for it) But still he Retain'd the *Name of King*. They did not Call him *Mr. Stuart*, nor *Mr. Tyrant*! And they call'd his Father *King of England* when they were *Trying* him as a *Tyrant*. The *Executioner* call'd him his *Majesty* when his *Head* was upon the *Block*. But *Mr. Observator* wou'd not have been so *Civil*! And all from his *Mistake* of *Lambard* (as you have shew'd me before) That a *Tyrant* loses the *Name of King*, that is, do's not Deserve it. As we say such a *one* is not a *Man*, but a *Beast*, he's a *Dog*. Which the *Observator* taking *Literally*, he shews his *Philosophy* upon it!

(10.) But another thing, *Mr. Observator*— Suppose I do not think that *King* a *Tyrant*, whom you think so? And that I think him to be a *Tyrant*, whom you think a *Most Excellent King*, a *Restorer* of *Liberty* and *Property* &c. What a *Confusion* will here be about the *Name of King*? When hardly *Three* shall

Agree in it! And we shall 'not know what, one another Mean by *King* or by *Tyrant*!

(11.) *Rehears.* Ther are but three sorts of *King's* that I know of, that is, *Good*, *Bad*, and *Indifferent*. We shall say *Nothing* of the *Bad*. But will the *Good*, or the *Indifferent*. Escape? First for the *Good*. In my first Vol. N. 75. I have Quoted a *Top Whigg* Proving that *Good Kings* are *Worse* than *Bad* ones, and more *Dangerous* to our *Liberties*, which they may *Coax* us out of, while we Suspect *Bad* ones, and are upon our *Guard*. He compars *Good Kings* to what we call *Good Witches*, who seem to *Cure* one, that they may without *Suspicion* *Bewitch* Twenty. And we know the *Fable*, how the *Sun* *Sooth'd* the *Traveller* out of his *Cloak*, which the *Storm* cou'd not *Force* from him. This was a fit *Argument* for this *Author*, who was *Solicitor* against *King Char. I.* at his *Tryal*; because of the *General Reputation* that *Prince* had Obtain'd of being a *Good Man*. So that we see they want not *Pretences* against *Kings*, even for their being *Good*!

And for the *Indifferent*, we have Examples of *Kings* *Depos'd*, proper *Innate Imperium*, because they were neither *Good* nor *Bad*! So that to be a *King* is *Crime* enough with the *Whiggs*, and they will never want *Objections* against him, let him be *Good*, *Bad*, or *Indifferent*! There's none of them but may lose the *Name of King*, according to the *Observator*. He wou'd have that *Name Abolish'd*.

(12.) *Country-m.* It is *Abolish'd* if ther be Ne'r a *one* in the *World* Deserves it. And ther is none according to *Observator*, or *Ever* was. For as you shew'd Num. 48. of the last *Volume*, he makes *Solomon* a *Tyrant*, and says, he ought to have been *Depos'd*, as it is in the *Observator* of 10 *July* last, N. 42. Then no *Man* or *Woman's Wisdom* can secure them. No, nor their *Love* to their *Country*, and the *utmost Care* of it, in making it *Rich* and *Prosperous*, and *Preserving* it in *Peace* and *Plenty* all his *Reign*. And never *Oppressing* any, of which we have not one *Instance* in all the *Reign of Solomon*. Yet all this cou'd not Prevent *Rebellious Tribes*, Spirited by a *Jereboam* to call this *Reign* a *Grievous Yoke*! We have done so in *Reign's* next to *Solomon's* for *Peace* and *Plenty*. And if we had a *King* who shou'd Promote *Trade* like *Solomon*, till he made *Silver* as *Plenty* as *Stones* in *London*, the *Whiggs* wou'd *fie* in his *Face*, and the *Observator* wou'd *Un-King* him, as he has done to *Solomon*. And if the *Name of King* did not belong to him, then, as I said, ther is not a *King* or a *Queen* now upon the *Face of the Earth*, or *ever* were. For none made their *People* so *Great* and *Rich* as *Solomon*.

#### A D V E R T I S E M E N T S.

TWO Sticks made One, Or, The Devil upon Dun.